

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 17-21 have been amended. Claims 17-21 are pending and under consideration. No new matter has been added. This amendment is believed to place the application in condition for allowance, and entry therefore is respectfully requested. In the alternative, entry of this amendment is requested as placing the application in better condition for appeal by, at least, reducing the number of issues outstanding.

Entry of Amendment under 37 C.F.R. § 1.116

The Applicant requests entry of this Rule 116 Response because the amendment does not significantly alter the scope of the claims and places the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures (M.P.E.P.) sets forth in Section 714.12 that “any amendment that would place the case either in condition for allowance or in better form for appeal may be entered.” Moreover, Section 714.13 sets forth that “the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified.” The M.P.E.P. further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

I. Objection to the Specification

In the Office Action, at page 2, the specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. Claims 17-21 have been amended such that each of these claims is now supported by the original specification.

II. Rejections under 35 U.S.C. § 112

In the Office Action, at page 2, claims 17-21 were rejected under the first paragraph of 35 U.S.C. § 112 as failing to comply with the written description requirement. Claims 17-21 have been amended in response to these rejections. Specifically, the term “ATM packet” has been replaced with “ATM cell”, as is supported by the original specification. Accordingly, withdrawal of these § 112 rejections is respectfully requested.

Furthermore, at page 3 of the Office Action, claim 21 was rejected as vague and indefinite. Claim 21 has been amended in response to this objection. Accordingly, withdrawal of the rejection is respectfully requested.

III. Claim Objections

In the Office Action, at page 3, claim 21 was objected to due to an informality. Claim 21 has been amended in response to this objection. Accordingly, withdrawal of the objection is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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